

AFFIDAVIT OF SERVICE

**UNITED STATES DISTRICT COURT
Southern District of New York**

Index Number: 08 CV 0058

Date Filed: 1/4/2008

Plaintiff:

**JAMES EASTMAN, On Behalf of Himself and All Others Similarly
Situated,**

vs.

Defendant:

MERRILL LYNCH & CO., INC., et al.

For:

Milberg Weiss LLP
One Pennsylvania Plaza
New York, NY 10119

Received these papers to be served on **MERRILL LYNCH & COMPANY, INC. c/o Scott D. Musoff, Esq. at Skadden, Arps, Slate, Meagher & Flom LLP, Attorneys for Defendants, located at Four Times Square, New York, New York 10036.**

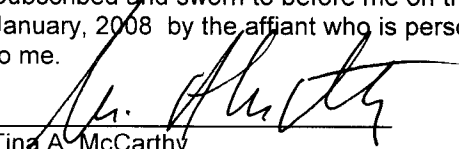
I, Baldeo Chetram, being duly sworn, depose and say that on the **14th day of January, 2008 at 12:00 pm, I:**


Personally served MERRILL LYNCH & COMPANY, INC. by delivering a true copy of the **Summons in a Civil Action, Class Action Complaint For Violations of the Employee Retirement Income Security Act of 1974, Civil Cover Sheet, Related Case Affidavit, ECF Procedures, USDC 3rd Amended ECF Instructions, Guidelines for Electronic Case Filing and Individual Practices of Judge Sand** to Jean Glispy, Legal Secretary, authorized to accept on behalf of the above named Entity.

Description of Person Served: Age: 43, Sex: F, Race/Skin Color: White, Height: 5'5", Weight: 165, Hair: Black, Glasses: Y

I am over the age of 18, am not a party in the above action, and am a Certified Process Server, in good standing, in the jurisdiction in which the process was served.

Subscribed and sworn to before me on the 16th day of January, 2008 by the affiant who is personally known to me.


Tina A. McCarthy
Notary Public, State of New York
No. 01MC6115830
Qualified in Bronx County
Commission Expires 09/13/2008


Baldeo Chetram
Process Server

Our Job Serial Number: 2008000189
Ref: 070083-00001

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Plaintiff:

**JAMES EASTMAN, On Behalf of Himself and All Others Similarly
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vs.

Defendant:

MERRILL LYNCH & CO., INC., et al.

For:

Milberg Weiss LLP
One Pennsylvania Plaza
New York, NY 10119

Received these papers to be served on **INDIVIDUAL DEFENDANTS c/o Scott D. Musoff, Esq. at Skadden, Arps, Slate, Meagher & Flom LLP, Attorneys for Defendants, located at Four Times Square, New York, New York 10036.**

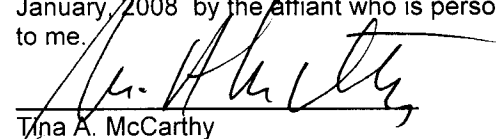
I, Baldeo Chetram, being duly sworn, depose and say that on the **14th day of January, 2008 at 12:00 pm, I:**

Served each named defendant by delivering a true copy of the **Summons in a Civil Action, Class Action Complaint For Violations of the Employee Retirement Income Security Act of 1974, Civil Cover Sheet, Related Case Affidavit, ECF Procedures, USDC 3rd Amended ECF Instructions, Guidelines for Electronic Case Filing and Individual Practices of Judge Sand** for each defendant to Jean Glispy, Legal Secretary, as authorized to accept on behalf of each named defendant listed on the Attachment A.

Description of Person Served: Age: 43, Sex: F, Race/Skin Color: White, Height: 5'5", Weight: 165, Hair: Black, Glasses: Y

I am over the age of 18, am not a party in the above action, and am a Certified Process Server, in good standing, in the jurisdiction in which the process was served.

Subscribed and sworn to before me on the 16th day of
January, 2008 by the affiant who is personally known
to me.



Tina A. McCarthy
Notary Public, State of New York
No. 01MC6115830
Qualified in Bronx County
Commission Expires 09/13/2008


Baldeo Chetram
Process Server

Our Job Serial Number: 2008000241
Ref: 070083-00001

ATTACHMENT A
LIST OF ALL DEFENDANTS

MERRILL LYNCH & CO., INC.

E. STANLEY O'NEAL

LOUIS DIMARIA

ALBERTO CRIBIORE

ARMANDO M. CODINA

VIRGIS W. COLBERT

JOHN D. FINNEGAN

AULANA L. PETERS

CHARLES O. ROSSOTTI

JILL K. CONWAY

CAROL T. CHRIST

JUDITH MAYHEW JONAS

JOSEPH W. PRUEHER

ANN N. REESE

DAVID K. NEWBIGGING

THE INVESTMENT COMMITTEE OF THE MERRILL LYNCH & CO., INC. 401(K)
SAVINGS AND INVESTMENT PLAN

THE ADMINISTRATIVE COMMITTEE OF THE MERRILL LYNCH 401(K) SAVINGS
AND INVESTMENT PLAN

JOHN DOES 1-20